



2131 #5
12-10-02
JMU

PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/757,872
			Filing Date	January 10, 2001
			First Named Inventor	John S. Flowers et al.
			Group Art Unit Number	2131
			Examiner Name	Gail O. Hayes
Total Number of Pages in This Submission		8*	Attorney Docket Number	23327-06893

RECEIVED
DEC 04 2002

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Checks Enclosed:	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input checked="" type="checkbox"/> Copies of IDS Cited References (37)	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input type="checkbox"/> Preliminary Amendment [] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>

REMARKS: * total pages submitted does not include references cited

Technology Center 2100

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Brian M. Hoffman, Reg. No. 39,713	Dated:	November 26, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Brian M. Hoffman	Dated:	November 26, 2002
Express Mail Mailing Number (optional):			

* Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
DEC 04 2002
Technology Center 2100

APPLICANTS: John S. Flowers *et al.*
APPLICATION NO.: 09/757,872
FILING DATE: January 10, 2001
TITLE: QUERY-BASED RULES FOR USE IN NETWORK SECURITY SYSTEMS
EXAMINER: Gail O. Hayes
GROUP ART UNIT: 2131
ATTY. DKT. NO.: 23327-06893

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner For Patents, Washington, DC 20231, on the date shown below:

Dated: November 26, 2002

By:

Brian M. Hoffman, Reg. No. 39,713

BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
WASHINGTON, DC. 20231

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this

certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

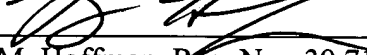
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,

JOHN S. FLOWERS *et al.*

Dated: November 26, 2002

By: 
Brian M. Hoffman, Reg. No.: 39,713
Attorney for Applicants
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (415) 875-2484
Fax: (415) 281-1350

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

Applicant N	09/757,872
Filing Date	January 10, 2001
First Named Inventor	John S. Flowers <i>et al.</i>
Art Unit	2131
Examiner Name	Gail O. Hayes
Attorney Docket Number	23327-06893

Sheet	1	of	3
-------	---	----	---

RECEIVED

DEC 04 2002

Technology Center 2100

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No. Number - Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US- 5,278,901	01-11-1994	Shieh et al
	A2	US- 5,796,942	08-18-1998	Esbensen
	A3	US- 5,798,706	08-25-1998	Kraemer et al.
	A4	US- 5,892,903	04-06-1999	Klaus
	A5	US- 5,931,946	08-03-1999	Terada et al.
	A6	US- 5,958,015	09-28-1999	Dascalu
	A7	US- 5,991,881	11-23-1999	Conklin et al.
	A8	US- 6,185,689 B1	02-06-2001	Todd, Sr. et al.
	A9	US- 6,263,444 B1	07-17-2001	Fujita
	A10	US- 6,279,113 B1	08-21-2001	Vaidya
	A11	US- 6,282,546 B1	08-28-2001	Gleichauf et al.
	A12	US- 6,298,445 B1	10-02-2001	Shostack et al.
	A13	US- 6,301,668 B1	10-09-2001	Gleichauf et al.
	A14	US- 6,321,338 B1	11-20-2001	Porras et al.
	A15	US- 6,324,656 B1	11-27-2001	Gleichauf et al.
	A16	US- 6,330,562 B1	12-11-2001	Boden et al.
	A17	US- 6,343,362 B1	01-29-2002	Ptacek et al.
	A18	US- 6,347,376 B1	02-12-2002	Attwood et al.
	A19	US- 6,359,557 B2	03-19-2002	Bilder
	A20	US- 6,363,489 B1	03-26-2002	Comay et al.
	A21	US- 6,370,648 B1	04-09-2002	Diep
	A22	US- 6,408,391 B1	06-18-2002	Huff et al.
	A23	US- 2002/0133721 A1	09-19-2002	Adjaoute

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
	B1	WO 01/31420 A2	05-03-2001	Visa International Service Association	
	B2	WO 02/45380 A2	06-06-2002	Lancope, Inc.	

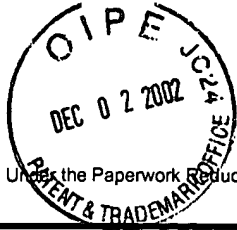
Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

23327/06893/DOCS/1311242.1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Applicant No.	09/757,872
				Filing Date	January 10, 2001
				First Named Inventor	John S. Flowers <i>et al.</i>
				Art Unit	2131
				Examiner Name	Gail O. Hayes
Sheet	2	of	3	Attorney Docket Number	23327-06893

RECEIVED
DEC 04 2002
Technology Center 2100

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C1	Abstract, W. Erhard, et al., "Network Traffic Analysis and Security Monitoring With UniMon", Proceeding of the IEEE Conference on High Performance Switching and Routing, 2000, ATM 2000, pp 439 – 46 (June 2000).	/
	C2	Abstract, Dept. of Comput. Sci., California Univ., Davis, CA, USA, "A Methodology For Testing Intrusion Detection Systems", IEEE Transactions on Software Engineering, Vol. 22, Issue 10, pp 719-29 (October 1996).	/
	C3	Abstract, Mounji A. Le Charlier, et al., "Distributed Audit Trail Analysis", Proceeding of the Symposium on Network and Distributed System Security, 1995, pp 102 – 12 (Feb 16 – 17, 1995).	/
	C4	Abstract, L.T. Heberlein, et al., "A Network Security Monitor" Proceeding of the 990 IEEE Computer Society Symposium on Research in Security and Privacy, pp 296-04, (May 7 – 9, 1990).	/
	C5	Abstract, Xinzhou Quin et al., "Integrating Intrusion Detection and Network Management", Network Operation and Management Symposium, 2002. NAOMS 2002. 2002 IEEE/IFIP, pp 329 – 44 (April 15 – 19, 2002).	/
	C6	Abstract, D.G. Schwartz et al., "A Case-Based Approach To Network Intrusion Detection", Proceeding of the 5th International Conference on Information Fusion, 2002. Vol. 2 pp 1084 – 89 (July 8 – 11, 2002).	/
	C7	Abstract, "Open Source Security: Opportunity or Oxymoron?" Computer, Vol. 35, Issue 3, pp 18 – 21 (March 2002).	/
	C8	Abstract, Liu Dihua, et al. "Data Mining For Intrusion Detection", Proceedings ICII 2001 – Beijing 2001 International Conference on Info-Tech and Info-Net, 2001, Vol. 5, pp 7 – 12, (October 29 – November 2001).	/
	C9	Abstract, Kai Hwang & M. Gangadharan, "Micro-Firewalls for Dynamic Network Security With Distributed Intrusion Detection", NCA 2001 IEEE International Symposium on Network Computing and Applications, 2001. pp 68 – 79, (October 8 – 10, 2001).	/
	C10	Abstract, Wenke Lee Stolfo, et al., "Real Time Data Mining-Based Intrusion Detection", Proceedings DARPA Information Survivability Conference & Exposition II, 2001, DISCEX '01. Vol. 1, pp 89 – 100 (June 12 – 14, 2001).	/

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

23327/06893/DOCS/1311242.1

